

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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HELEN NWOSU,

Plaintiff,

- against -

MEMORANDUM AND ORDER

12-CV-5821 (RRM) (LB)

ST. JOSEPH'S COLLEGE,

Defendant.

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ROSLYNN R. MAUSKOPF, United States District Judge.

On November 21, 2012, *pro se* plaintiff Helen Nwosu filed this employment discrimination action. On June 25, 2013, based on plaintiff's repeated failures to comply with discovery orders, Magistrate Judge Lois Bloom issued a Report and Recommendation ("R&R") recommending that the action be dismissed with prejudice under Federal Rule of Civil Procedure ("Rule") 37(b)(2)(A)(v). Magistrate Judge Bloom reminded the parties that, pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b)(2), any objections were due fourteen days from service of the R&R. A copy of the R&R was sent to plaintiff, along with copies of all unreported cases cited therein. To date, no objections have been filed.

Pursuant to 28 U.S.C. § 636(b) and Rule 72, the Court has reviewed the R&R for clear error and, finding none, concurs with the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007). As the R&R and the record in this case clearly show, plaintiff was given ample opportunity to comply with her obligations in prosecuting this action, and ample warning on more than one occasion that her failure to comply with those obligations would be grounds for dismissal. Magistrate Judge Bloom gave considerable deference to plaintiff's *pro se* status, extending deadlines, and employing considerable time and effort to ensure that plaintiff understood her obligations and the consequences of any failure to comply.

Judge Bloom's well-reasoned R&R properly balances the competing concerns at issue here, and recounts sufficient factual and legal grounds to warrant the most severe sanction of dismissal. Moreover, plaintiff has advanced no objection to the R&R.

CONCLUSION

Accordingly, it is hereby **ORDERED** that plaintiff's complaint is dismissed with prejudice. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444–45 (1962).

The Clerk of Court is directed to close this case. The Clerk of Court is further directed to transmit a copy of this Order and the accompanying Judgment to plaintiff via U.S. Mail.

SO ORDERED.

Dated: Brooklyn, New York
February 6, 2014

Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF
United States District Judge